

FORM PTO-1390
(REV. 5-93)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER
10191/1771

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/787098

INTERNATIONAL APPLICATION NO.
PCT/DE99/02943

INTERNATIONAL FILING DATE
(16.09.99)
16 September 1999

PRIORITY DATES CLAIMED
(17.09.98)
17 September 1998

TITLE OF INVENTION
DEVICE FOR THE SELECTION OF OPERATING MODES

APPLICANT(S) FOR DO/EO/US
PETTIT, Roderick

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
 2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
 3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
 4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
 5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
 6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
 7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
 8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
 9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (unsigned)
 10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11. to 16. below concern other document(s) or information included:**
11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
 12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
 13. ☒ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
 14. ☒ A substitute specification and marked up version of substitute specification..
 15. ☐ A change of power of attorney and/or address letter.
 16. ☒ Other items or information: Copies of International Search Report, Preliminary Examination Report and Form PCT/RO/101.

EXPRESS NO. **EL 327550693 US**

U.S. APPLICATION NO. if known, see 37 C.F.R. 1.5

INTERNATIONAL APPLICATION NO.
PCT/DE99/02943

ATTORNEY'S DOCKET NUMBER
1 771

09/78709

17. ☒ The following fees are submitted:

Basic National Fee (37 CFR 1.492(a)(1)-(5)):

Search Report has been prepared by the EPO or JPO \$860.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) \$670.00

No international preliminary examination fee paid to USPTO (37 CFR 1.482) but
international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$750.00

Neither international preliminary examination fee (37 CFR 1.482) nor international
search fee (37 CFR 1.445(a)(2)) paid to USPTO \$970.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) and all
claims satisfied provisions of PCT Article 33(2)-(4) \$96.00

CALCULATIONS | PTO USE ONLY

ENTER APPROPRIATE BASIC FEE AMOUNT = \$860

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months
from the earliest claimed priority date (37 CFR 1.492(e)).

\$

| Claims | Number Filed | Number Extra | Rate | | |
|---|--------------|--------------|------------|----|--|
| Total Claims | 7 - 20 = | 0 | X \$18.00 | \$ | |
| Independent Claims | 1 - 3 = | 0 | X \$78.00 | \$ | |
| Multiple dependent claim(s) (if applicable) | | | + \$260.00 | \$ | |

TOTAL OF ABOVE CALCULATIONS = \$860

Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must
also be filed. (Note 37 CFR 1.9, 1.27, 1.28).

\$

SUBTOTAL = \$860

Processing fee of \$130.00 for furnishing the English translation later the ☐ 20 ☐ 30
months from the earliest claimed priority date (37 CFR 1.492(f)).

\$

TOTAL NATIONAL FEE = \$860

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$

TOTAL FEES ENCLOSED = \$860

Amount to be:
refunded

\$

charged

\$

a. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 11-0600 in the amount of **\$860.00** to cover the above fees. A duplicate copy of this
sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit
Account No. 11-0600. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must
be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Kenyon & Kenyon
One Broadway
New York, New York 10004

SIGNATURE

Richard L. Mayer, Reg. No. 22,490
NAME

DATE

3/13/01



26646

PATENT TRADEMARK OFFICE

09/787098

JC13 Rec'd PCT/PTO 13 MAR 2001

EXPRESS MAIL CERTIFICATE

"EXPRESS MAIL" MAILING LABEL NUMBER EL32755069345

DATE OF DEPOSIT 3/13/01

TYPE OF DOCUMENT National Phase Application

RE: PETTIT, Roderick

SERIAL NO. To be assigned FILING DATE Herewith

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE, BY BEING HANDED TO A POSTAL CLERK OR BY BEING PLACED IN THE EXPRESS MAIL BOX BEFORE THE POSTED DATE OF THE LAST PICK UP, AND IS ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.

CHANDRA SEONARAIN

(PRINTED NAME OF PERSON MAILING PAPER OR FEE)

Chandra Seonarain

(SIGNATURE OF PERSON MAILING PAPER OR FEE)

Device For The Selection of Operating Modes.